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FM AMEMBASSY SANTO DOMINGO
TO RUEHC/SECSTATE WASHDC PRIORITY 6664
INFO RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
RUCOWCV/CUSTOMS CARIBBEAN ATTACHE MIAMI FL PRIORITY
RHMCSUU/FBI WASHINGTON DC PRIORITY
RUEAHLG/HOMELAND SECURITY CENTER WASHINGTON DC PRIORITY
RUEFHLC/HQS DHS WASHDC PRIORITY

UNCLAS SANTO DOMINGO 003513

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DEPARTMENT FOR WHA/CAR SEARBY, L/LEI FOR TORRES AND MUELLER
DEPARTMENT OF JUSTICE FOR CRIM/OIA ORJALES AND ESTABROOK
US MARSHALS SERVICE PLEASE PASS TO JIM SCHIELD
DEA FOR OF,OFI,DO,DCO

E.O. 12958: N/A

TAGS: [CJAN](#) [CVIS](#) [KCRM](#) [SNAR](#) [DR](#)

SUBJECT: DOMINICAN FUGITIVES ZAPATA AND PENA EXTRADITED TO
THE U.S.

REF: A. STATE 92862

[1](#)B. STATE 43478

[1](#)1. On November 9, 2006, U.S. Marshals returned Felix Antonio Zapata Molett to the United States for trial in the Southern District of New York, where he is the subject of superseding indictment number S1 05 CR 714 (BSJ), filed August 30, 2005. As detailed in the indictment, Zapata was charged with conspiracy to distribute and possess with intent to distribute both cocaine and heroin. (See Ref A)

[1](#)2. Following the July 7, 2006, issuance of a Dominican arrest warrant based on a June 13, 2006, U.S. Government request for extradition, Zapata was apprehended July 24, 2006, by officers of the Dominican National Directorate for Drug Control's Fugitive Unit (DNCD). Zapata challenged his extradition before the Criminal Chamber of the Dominican Supreme Court, but was ruled extraditable on September 29, [1](#)2006. His extradition was properly confirmed by presidential decree on October 17, 2006.

[1](#)3. U.S. Marshals will return a second fugitive, Edward David Pena Lora, on November 16, 2006, to face trial in the Southern District of New York. As detailed in indictment 05 CR 195, filed February 17, 2005, Pena has been charged with conspiracy to distribute and to possess with intent to distribute one kilogram or more of heroin. The facts indicate that Pena was involved in the transportation of approximately 4.1 kilograms of heroin from Louisiana, allegedly for sale in the State of New York. (See Ref B)

[1](#)4. Pena was arrested by DNCD agents on November 7, 2006, following the issuance of a Dominican arrest warrant based on a U.S. extradition request. He chose to waive all challenges to his extradition and, on November 8, 2006, knowingly, voluntarily, and intelligently signed a notarized waiver to that effect.

[1](#)5. With the return of Zapata and Pena, the Dominican government will have returned 25 fugitives through or in lieu of extradition proceedings during CY-2006 (7 during FY-2007).
HERTELL